

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE WAWA, INC.  
DATA SECURITY LITIGATION**

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**CIVIL ACTION**

**This document applies to the  
Consumer Track.**

**No. 19-6019  
and all related cases.**

**ORDER**

**AND NOW**, this 9th day of April 2024, upon consideration of the Judgment and Opinion of the Third Circuit Court of Appeals vacating the Court’s fee award and remanding for further proceedings (Doc. No. 420), the arguments made on the record during the Court’s post-remand hearings held on December 5, 2023 and February 2, 2024 (Doc. Nos. 424, 433), the parties’ post-remand declarations regarding the fee award (Doc. Nos. 427, 428, 429), Consumer Track Plaintiffs’ Motion for Attorneys’ Fees, Expenses, and Service Awards (Doc. No. 257) and all responses thereto, and the Third Amended Settlement Agreement dated February 4, 2022 (Doc. No. 301-1) (“the Settlement Agreement”), for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** as follows:

1. Consumer Track Plaintiffs’ Motion for Attorneys’ Fees, Expenses, and Service Awards (Doc. No. 257) is **GRANTED**;
2. Berger Montague PC, Chimicles Schwartz Kriner & Donaldson-Smith LLP, Fine, Kaplan & Black RPC, and Nussbaum Law Group, P.C., as Consumer Track Plaintiffs’ Class Counsel, and pursuant to the Settlement Agreement, are hereby awarded a lump sum of \$3.2 million for attorneys’ fees, expenses, costs of settlement administration, and class

representative awards to be paid by Wawa in accordance with the Settlement Agreement as outlined in the accompanying Memorandum;

3. Class Counsel shall have the discretion to allocate the attorneys' fees and expenses among themselves, other plaintiffs' counsel that performed common benefit work in the Consumer Track action, and the settlement administrator, in accordance with the Settlement Agreement as outlined in the accompanying Memorandum;
4. The Court confirms the appointment of Kenneth Brulinski, Kelly Donnelly Bruno, Amanda Garthwaite, Marisa Graziano, Tracey Lucas, Marcus McDaniel, Joseph Muller, April Pierce, Nicole Portnoy, Nakia Rolling, Eric Russell, Michael Sussman, Charmissa Tingle, and Kasan Laster as the Settlement Class Representatives; and
5. The Settlement Class Representatives are each hereby awarded a service award in the amount of \$1,000.00, to be paid by Wawa out of the \$3.2 million lump sum in accordance with the Settlement Agreement as outlined in the accompanying Memorandum.

**BY THE COURT:**

**s/ Gene E.K. Pratter**  
**GENE E.K. PRATTER**  
**UNITED STATES DISTRICT JUDGE**